

Monte J. White & Associates, PC
Monte J. White
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 10-70180-HdH-13
	§
Maria Rocio Villadiego	§
	§ JUDGE HARLIN D. HALE
	§
	§ HEARING DATE: 9/18/2013
DEBTOR	§ HEARING TIME: 10:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 9/18/2013, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 222, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 08/21/2013, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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FOR THE NORTHERN DISTRICT OF TEXAS
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IN RE:

Maria Rocio Villadiego

§ CASE NO. 10-70180-HdH-13

§

§ HEARING DATE: 9/18/2013

DEBTOR

§ HEARING TIME: 10:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 08/21/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 4/27/2010
2. Date of Section 341 Meeting: 5/24/2010
3. First Payment Date: 5/27/2010
4. Date of Confirmation: 6/18/2010
5. Total Plan Term Prior to this Modification: 51
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 40
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 11
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 9/27/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$21,840.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$21,840.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$560.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 1/6/2011

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 x DECREASE monthly payment from \$560.00 per month to \$180.00 per month
(must coincide with resume date shown in item 9 above)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$180.00 will resume on or before 9/27/2013 for 11 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$28,560.00 to \$24,380.00

If the base amount has changed complete the following:

- | | |
|--|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$22,400.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$ 1,980.00 |
| 3. (=) New Base Amount | <u>\$24,380.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

X The unsecured creditor pool remains \$0.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

CT	S-Texoma Community Credit Union	2008 CTS	Cadillac	\$16,307.17	Pay Direct
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C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtor wishes to pay direct to Texoma Community Credit Union on 2008 Cadillac CTS. Debtor's income and expenses have changed, therefore Debtor wishes to lower plan payment.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedules I & J on file with the Court.

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 08/21/2013, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7
Case 10-70180-hdh13
Northern District of Texas
Wichita Falls
Wed Aug 21 11:36:55 CDT 2013

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

Accounts Receivable Management
PO Box 129
Thorofare, NJ 08086-0129

Allied Interstate Inc
3000 Corporate Exchange Dr
5th Floor
Columbus, OH 43231-7723

B-Line, LLC
Attn: Steven Kane
P.O. Box 91121
Dept. 550
SEATTLE, WA 98111-9221

Bank Of America
Attn: Bankruptcy NC4-105-03-14
PO Box 26012
Greensboro, NC 27420-6012

Brinks Alarm
4514 Hughes
Wichita Falls, TX 76308-3437

CR Evergreen, L.L.C.
PO Box 91121
MS 550
Seattle, WA 98111-9221

CR Evergreen, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Calvary Portfolio Services
Attention: Bankruptcy Department
PO Box 1017
Hawthorne, NY 10532-7504

Cavalry Portfolio Services, L.L.C.
500 Summit Lake Drive Suite No. 400
Valhalla, NY 10595-2322

(p)CAVALRY PORTFOLIO SERVICES LLC
500 SUMMIT LAKE DR
STE 400
VALHALLA NY 10595-2322

Cavalry Portfolio, LLC
500 Summit Lake Drive Suite No. 400
Valhalla, NY 10595-2322

Charles Dennis
4018 Call Field Rd
Wichita Falls, TX 76308-2667

Chase
Bank One Card Serv
Westerville, OH 43081

Chase Bank USA NA
PO BOX 15145
Wilmington, DE 19850-5145

Chase Bank USA, N.A
CO Creditors Bankruptcy Service
P O Box 740933
Dallas, Tx 75374-0933

Chase-pier1
Attn: Recovery
PO Box 15298
Wilmington, DE 19850-5298

CitiCorp Trust Bank
P.O. Box 140489
Irving, TX 75014-0489

Citifinancial Retail Services
Citifinancial-Attn: Bankruptcy Dept
1111 Northpoint Dr
Coppell, TX 75019-3831

City of WF, WFISD, Wichita County
CO Perdue Brandon Fielder Collins & Mott
P.O. Box 8188
Wichita Falls, Texas 76307-8188

Collection
700 Longwater Dr
Norwell, MA 02061-1796

Compass Bank
CO Ascension Capital Group
PO Box 201347
Arlington, TX 76006-1347

Compass Bank
Attn: Bankruptcy
PO Box 10566
Birmingham, AL 35296-0001

Compass Bank
P.O. Box 10566
Birmingham, AL 35296-0001

Compass Bank -Secured Department
CO Ascension Capital Group
P.O. Box 201347
Arlington, TX 76006-1347

Consumer Credit Counseling Service
4210 Kell West Ste 200
Wichita Falls, TX 76309-4821

Department Stores National Bank-Macys
Nco Financial Systems, Inc.
PO Box 4275
Norcross, GA 30091-4275

East Bay Funding, LLC
CO Resurgent Capital Services
PO Box 288
GREENVILLE, SC 29602-0288

Enhanced Recovery Corp 8014 Bayberry Rd Jacksonville, FL 32256-7412	Fia Card Services, NA As Successor in Interest Bank of America NA and Mbn America Bank 1000 Samoset Drive DE5-023-03-03 Newark, DE 19713-6000	First Bank 2801 Midwestern Parkway Suite 200 Wichita Falls, TX 76308-2850
First Financial Bk Na 400 Pine St Abilene, TX 79601-5137	Fncc Attn: Bankruptcy PO Box 5097 Sioux Falls, SD 57117-5097	GE Money Bank Attn: Bankruptcy Department PO Box 960061 Orlando FL 32896-0661
Gemb-care Credit Attn: Bankruptcy PO Box 103106 Roswell, GA 30076-9106	Gemb-walmart Po Box 981400 El Paso, TX 79998-1400	HSBC Bank Nevada, N.A. by PRA Receivables Management, LLC PO Box 12907 Norfolk VA 23541-0907
Hilco Rec Attn: Bankruptcy 1120 Lake Cook Road Suite B Buffalo Grove, IL 60089-1970	(p)INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA PA 19101-7346	James Lane Air Conditioning & Plumbing 5024 Jacksboro Hwy Wichita Falls TX 76302-3520
Kohls-chase N56 W 17000 Ridgewood Dr Menomonee Falls, WI 53051-7096	Lowes - MBGA Attention: Bankruptcy Department PO Box 103104 Roswell, GA 30076-9104	Macys-fdsb Macys Bankruptcy PO Box 8053 Mason, OH 45040-8053
Monte J. White & Associates 1106 Brook Ave Wichita Falls TX 76301-5009	NATIONAL CREDIT ADJUSTERS LLC c o Jefferson Capital Systems LLC PO BOX 7999 SAINT CLOUD MN 56302-7999	National Capital Management, LLC. 8245 Tournament Drive Suite 230 Memphis, TN 38125-1741 USA
National Credit Adjust PO Box 3023 Hutchinson, KS 67504-3023	PRA Receivables Management LLC PO Box 41067 Norfolk, VA 23541-1067	PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. CO Capital One Bank, N.a. POB 41067 Norfolk VA 23541-1067
PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. CO Lowes POB 41067 Norfolk VA 23541-1067	PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. CO Shell POB 41067 Norfolk VA 23541-1067	PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. CO Wal-mart POB 41067 Norfolk VA 23541-1067
Paragonway 2101 West Ben Whit Austin, TX 78704-7516	(p)PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 41067 NORFOLK VA 23541-1067	Portfolio Recovery Assocs., LLC POB 41067 NORFOLK, VA 23541-1067
Precision Recovery Analytics co of Resurgent Capital Services P.O. Box 288 Greenville, SC 29602-0288	Precision Recovery Analytics CO Resurgent Ca P.O. Box 288 Greenville, SC 29602-0288	Precision Recovery Analytics, Inc MS 550 PO Box 91121 Seattle, WA 98111-9221

Skyline Developers Inc.
3501 McNiel
Wichita Falls, Texas 76308-1502

TARGET NATIONAL BANK
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Texoma Community Cr Un
Po Box 1320
Wichita Falls, TX 76307-1320

Tnb-visa
PO Box 560284
Dallas, TX 75356-0284

WICHITA FALLS CITY, ISD & WICHITA CO
CO PERDUE BRANDON FIELDER COLLINS & MOT
PO BOX 8188
WICHITA FALLS TX 76307-8188

eCAST Settlement Corporation
POB 29262
New York, NY 10087-9262

Maria Rocio Villadiego
4809 Belair Blvd
Wichita Falls, TX 76310-1453

Monte J. White
Monte J. White & Associates, P.C.
1106 Brook Avenue
Hamilton Place
Wichita Falls, TX 76301-5009

Walter 12,13 Ocheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Cavalry Portfolio Services, LLC
7 Skyline Drive, Third Floor
Hawthorne, NY 10532

IRS Special Procedures
1100 Commerce St., Room 951
Mail Stop 5029 DAL
Dallas, TX 75246

Portfolio Rc
Attn: Bankruptcy
PO Box 41067
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC
POB 41067
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC.
P.O. Box 41067
Norfolk, VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)B-Line, LLC
Attn: Steven Kane
P.O. Box 91121
Dept. 550
Seattle, WA 98111-9221

(d)East Bay Funding, LLC
CO Resurgent Capital Services
PO Box 288
Greenville, SC 29602-0288

(u)Pedro Lerma

(d)Portfolio Recovery Assocs., LLC
POB 41067
Norfolk, VA 23541-1067

End of Label Matrix
Mailable recipients 68
Bypassed recipients 4
Total 72